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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 ROBERT ROYCE BYFORD,

10 Petitioner,

3:11-cv-00112-ECR-WGC

11 vs.

ORDER

12 RENEE BAKER, *et al.*,

13 Respondents.
14 _____/

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16 On May 18, 2012, petitioner filed a motion for leave to file a second amended petition. ECF
17 No. 27. Respondents filed a response indicating that they did not object to the filing of the pleading,
18 with the one condition that petitioner provide a statement of exhaustion as required by LSR 3-1 and
19 Rule 2 of the Rules Governing Section 2254 Cases in the Federal District Courts. ECF No. 38.

20 Petitioner has filed a second amended petition that contains a statement of exhaustion with
21 respect to the claims contained therein. ECF No. 46.

22 **IT IS THEREFORE ORDERED** that petitioner's motion for leave to file a second
23 amended petition (ECF No. 27) is GRANTED *nunc pro tunc* as of September 4, 2012.

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DATED: September 26, 2012.

Edward C. Reed.

UNITED STATES DISTRICT JUDGE